

# State Appellate Public Defender

**STARS Number & Budget Unit:** 443 SGDA

**Bill Number & Chapter:** H509 (Ch.41), S1471 (Ch.68), H698 (Ch.169)

**PROGRAM DESCRIPTION:** The Office of the State Appellate Public Defender provides legal representation to indigent defendants upon the appeal of their felony criminal convictions in district court; appeals from the district court in post-conviction relief proceedings brought pursuant to the uniform post-conviction procedures act; appeals from the district court in habeas corpus proceedings; and post-conviction relief proceedings in capital cases.

<b>DIVISION SUMMARY:</b>	<b>FY 2001 Total Appr</b>	<b>FY 2001 Actual</b>	<b>FY 2002 Total Appr</b>	<b>FY 2003 Request</b>	<b>FY 2003 Gov Rec</b>	<b>FY 2003 Approp</b>
<b>BY FUND SOURCE</b>						
General	1,090,500	1,088,400	1,251,700	1,386,500	1,272,800	1,261,900
Percent Change:		(0.2%)	15.0%	10.8%	1.7%	0.8%
<b>BY EXPENDITURE CLASSIFICATION</b>						
Personnel Costs	743,600	713,600	845,500	967,000	959,400	969,100
Operating Expenditures	343,900	367,900	403,900	417,200	311,100	290,500
Capital Outlay	3,000	6,900	2,300	2,300	2,300	2,300
Total:	1,090,500	1,088,400	1,251,700	1,386,500	1,272,800	1,261,900
Full-Time Positions (FTP)	12.00	12.00	13.00	15.00	15.00	15.00

In accordance with Section 67-3519, Idaho Code, this division is authorized no more than 15.00 full-time equivalent positions at any point during the period July 1, 2002 through June 30, 2003 for the programs specified.

<b>DECISION UNIT SUMMARY:</b>	<b>FTP</b>	<b>General</b>	<b>Dedicated</b>	<b>Federal</b>	<b>Total</b>
<b>FY 2002 Original Appropriation</b>	<b>13.00</b>	<b>1,236,100</b>	<b>0</b>	<b>0</b>	<b>1,236,100</b>
1. Defense for Death Penalty Cases	0.00	65,000	0	0	65,000
Budget Reduction (Neg. Supp.)	0.00	(49,400)	0	0	(49,400)
<b>FY 2002 Total Appropriation</b>	<b>13.00</b>	<b>1,251,700</b>	<b>0</b>	<b>0</b>	<b>1,251,700</b>
Removal of One-Time Expenditures	0.00	(2,300)	0	0	(2,300)
Restore Budget Reduction (Neg. Supp.)	0.00	49,400	0	0	49,400
Permanent Base Reduction	0.00	(103,200)	0	0	(103,200)
<b>FY 2003 Base</b>	<b>13.00</b>	<b>1,195,600</b>	<b>0</b>	<b>0</b>	<b>1,195,600</b>
Personnel Cost Rollups	0.00	2,800	0	0	2,800
Nonstandard Adjustments	0.00	1,200	0	0	1,200
Annualizations	0.00	60,000	0	0	60,000
<b>FY 2003 Maintenance (MCO)</b>	<b>13.00</b>	<b>1,259,600</b>	<b>0</b>	<b>0</b>	<b>1,259,600</b>
1. Appellate Attorneys/Replace Contract	2.00	2,300	0	0	2,300
<b>FY 2003 Total Appropriation</b>	<b>15.00</b>	<b>1,261,900</b>	<b>0</b>	<b>0</b>	<b>1,261,900</b>
Change From FY 2002 Original Approp.	2.00	25,800	0	0	25,800
% Change From FY 2002 Original Approp.	15.4%	2.1%			2.1%

**SUPPLEMENTAL:** H509 provided \$65,000 to contract for expert testimony necessary for death penalty appellate work.

**BUDGET REDUCTION (NEG. SUPP.):** S1471 reduced the fiscal year 2002 General Fund appropriation for this agency by 4.0%.

**APPROPRIATION HIGHLIGHTS:** The appropriation in H698 reduced the fiscal year 2003 General Fund base for this agency by 8%, but the total appropriation was increased by 2.1% for FY 2003. Personnel benefit costs were funded. No inflationary increases were funded. No funding for Change in Employee Compensation (CEC) was provided, but agencies may fund state employee compensation increases from salary savings. Nonstandard adjustments are for interagency billing changes to the State Controller, and the \$60,000 Annualization is to match the \$65,000 provided in the Supplemental for full-year funding for services related to death penalty appeals. JFAC approved moving \$120,800 from operating expenditures to personnel costs to hire two deputy appellate attorneys rather than continuing to contract for legal services to support felony appeals. An additional \$2,300 was provided on a one-time basis for computer equipment.

<b>FY 2003 APPROPRIATION:</b>	<b>FTP</b>	<b>Pers. Cost</b>	<b>Oper Exp</b>	<b>Cap Out</b>	<b>T/B Pymnts</b>	<b>Lump Sum</b>	<b>Total</b>
G 0001-00 General	15.00	969,100	290,500	0	0	0	1,259,600
OT G 0001-00 General	0.00	0	0	2,300	0	0	2,300
Totals:	15.00	969,100	290,500	2,300	0	0	1,261,900